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BANGALORE, THURSDAY, JULY 11, 1940.

PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. P. 147—*Pol.* 4-40-4, *dated Bangalore, the 5th July* 1940.

Government have ordered in Notification No. P. 125—Pol. 4-40-2, dated the 5th July 1940, that a Census of all fire-arms in the State should be taken before the 31st August 1940. As it is essential that Government should have accurate information regarding the total number of fire-arms in the possession of the public, they are pleased to offer the following concessions, so that persons in possession of unlicensed fire-arms may find no difficulty in declaring them and obtaining licenses or surrendering them to the Police, as the case may be :—

(1) No prosecution will be instituted under the Arms Act against any person who, on or before the 31st August 1940, either deposits his unlicensed weapons at a Police Station or furnishes accurate information regarding them to the Inspector-General of Police in Mysore or the District Magistrate of the District where he resides ;

(2) Applications for the grant of licenses received from such persons on or before the 31st August 1940 will

be considered on their merits and if a license be granted, the applicant will be charged only the fee for the current year, no claim being made for arrears ;

(3) Any such persons who do not desire to take out a license or to whom a license cannot be granted will be required to deposit their weapons if they have not already done so, at the nearest Police Station. If the weapons are deposited before the 31st August 1940 and a license be not granted, the proceeds which may be derived from their sale will be credited to such persons.

The public are hereby warned that after the 31st August 1940 prosecutions will be launched against any and every person found in unlawful possession of any weapon for which he is required by the rules to take out a license, provided that this period may be extended in the case of any person who would otherwise avail himself of this order, but is prevented from doing so by absence from the Mysore State or for any good and sufficient reasons.

No. P. 228—Legis. 2-40-2, dated Bangalore, the 11th July 1940.

In exercise of the powers conferred by sub-rule (2) of rule 94 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja hereby order that all persons in Mysore and who are the owners of any securities in respect of which the principal interest or dividends are payable in the currency of the United States of America or in respect of which the owner has an option to require the payment of principal interest or dividends in the currency of the United States of America shall, before the expiration of one month from the date of this notification, make a return to the Reserve Bank of India (on a form which may be obtained from any office of the Reserve Bank of India or from any person authorised by the Reserve Bank of India to deal in foreign exchange in British India) giving the following particulars with respect to those securities, that is to say,—

(*a*) the full name and address of the owner by whom or on whose behalf the return is made,

(*b*) a description of the security in full including particulars as to whether it is a bearer bond, registered or inscribed stock, etc.,

(*c*) the nominal amount of the security,

(*d*) whether the security is free or encumbered and if the latter, full details of the nature of the encumbrance including the amount of loan or advance, if any, which has been taken against the security and the currency in which and the name and address of person from whom it has been taken.

(*e*) the place in which and the name of the person with whom the security is deposited.

(*f*) the full name and address of the person for whose account the security is held (if other than the owner making the return).

By Order,

B. T. KESAVIENGAR,
Chief Secretary to Government.

No. T. 141—*R. T.* 100-39-2, *dated Bangalore,*
10*th July* 1940.

In exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Act, XVI of 1928 as amended by Acts IV of 1931 and III of 1932, the Government of His Highness the Maharaja propose to introduce the following draft form, in lieu of the existing form "B" (page 69 of the Motor Manual) for entry of particulars relating to registration and taxation of motor vehicles, which is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 18th July 1940 and that any suggestions or objections which may be received from any person with respect to the said draft form before the aforesaid date will be considered by Government.

By Order,

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

Draft Form "B."

REGISTER OF MOTOR VEHICLES REGISTERED TOGETHER WITH ENTRIES FOR CHECKING THE PAYMENT OF TAXES.

1. Number assigned. 2. Full name of owner. 3. Postal address of usual residence of owner. 4. Name of maker and date of manufacture. 5. Number stamped on—(i) Engine, (ii) Chassis. 6. Type of motor vehicle. 7. Type of body of vehicle,—(i) Seating capacity, (ii) Carrying capacity. 8. Horse power. 9. Number of cylinders. 10. Unladen weight of vehicle in cwts. 11. Whether intended for—(i) Private use, (ii) Public Service. 12. If the vehicle is a heavy motor vehicle—Axle weight of each axle; diameter of each wheel. 13. Date of registration. 14. Amount of fee paid; chellan number and date and name of Treasury.

		Tax payments with license number.					
		Year.	*1st Qr.*	*2nd Qr.*	*3rd Qr.*	*4th Qr.*	Remarks.
1.	Transfer of Vehicle						
2.	Do						
3.	Do						
4.	Do						
5.	Do						
6.	Do						
1.	Change of address.						
2.	Do						

Inspector-General of Police.

No. P. 207—*Legis.* 1-40-1, *dated Bangalore,*
10*th July* 1940.

CORRIGENDUM.

In Sub-section (2) of Section 38 of the Insurance Act, 1939, for the words, "duly attested except where the transfer or assignment is in favour of the insurer but shall not be operative" the words "duly attested but except where the transfer or assignment is in favour of the insurer shall not be operative" shall be substituted.

No. P. 208—*Legis.* 29-39-11, *dated Bangalore, the* 10*th July* 1940.

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Enemy Property (Custody and Registration) Order, 1939 :—

1. In the said order—

(1) for clause (iii) of paragraph 2, the following clause shall be substituted, namely :—

"(iii) "enemy" means any person whose property is for the time being vested in the Custodian by an order made under sub-rule (1) of rule 114 of the Defence of India Rules, as applied to Mysore."

(2) paragraph 3 shall be renumbered as sub-paragraph (1) of paragraph 3, and after that sub-paragraph as so renumbered, the following sub-paragraph shall be inserted, namely :—

"(2) In cases in which money would, but for the existence of a state of war, be payable in a foreign currency to or for the benefit of a person who is an enemy (other than cases in which money is payable under a contract in which provision is made for a specified rate of exchange), the payment shall be made to the Custodian of Enemy Property in Mysore in Rupee currency at the middle official rate of exchange fixed by the Bank of England on the date on which the payment became due to that person (or the middle rate of exchange for telegraphic transfers in London on that date, or if there was no such rate on that date, at such rate as the Treasury of His Majesty's Government in the United Kingdom may determine as appropriate for ascertaining the value in English currency of the money payable on that date) combined with the Reserve Bank of India's buying rate for Sterling telegraphic transfers on London."

(3) In paragraph 3 for the word "enemy", the words "enemy subject or enemy firm" shall be substituted.

(4) In paragraph 8

(*a*) in sub-paragraphs (1), (2), (4) and (5), for the word "enemy" the words "enemy subject or enemy firm" shall be substituted;

(*b*) after sub-paragraph (1) the following sub-paragraph and Note shall be inserted, namely:—

"(1A) Every Bank which has furnished particulars of balances or deposits standing to the credit of an enemy in Form A may, not later than the 8th August 1940, communicate to the Custodian in Form AA full particulars of the debts, if any, owing to it by the enemy.

NOTE:—Claims submitted later than the 8th August 1940, will not be considered unless there are exceptional and valid reasons for the delay."

II. In the Appendix to the said Order, after Form A, the following Form shall be inserted, namely:—

FORM AA.

To

The Custodian of Enemy Property.

PART I.

Refunds claimed against enemy debts already paid into Custodian's account.

References		Date of deposit and name of Enemy	Amount of deposit	Withdrawals claimed	Remarks *re* nature of the claim
Bank's letters 1	Custodian's letters 2	3	4	5	6
			Rs. a. p.	Rs. a. p.	Rs. a. p.
				Total claims...	

PART II.

Payments now to be made to Custodian.

References		Gross collections	Amount of Bank's claim	Net payment to Custodian	Remarks	
Bank's Letters	Custodian's Letters				Details of collections in column 3	Details of claims in column 4
1	2	3	4	5	6	7
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
				Total payments.		

PART III.

	Rs. a. p.
Total claims, Part I	....
Total payments, Part II	....
Net amount due to/by Custodian	

I certify that I have verified that the amounts claimed above are due from the particular enemy against whose assets they are now being claimed, and that the above statement is to the best of my knowledge correct.

Manager."

No. P. 215—*Legis.* 2-40-1, *dated Bangalore,* 10*th July* 1940.

Rule 90 of the Defence of India Rules as amended from time to time is hereby republished for general information :—

"90 (1) In this rule, the expression "coin" means coin which is legal tender under the Indian Coinage Act, 1906.

(2) No person shall—

(*a*) buy or sell or offer to buy or sell, for an amount other than its face value, any coin or Reserve Bank of India note or currency note of the Government of India; or

(*b*) accept or offer to accept, in payment of a debt or otherwise, any such coin or note for an amount other than its face value; or

(*c*) refuse to accept, in payment of a debt or otherwise, any such coin or note; or

(*d*) acquire coin to an amount, in excess of his personal or business requirements for the time being which, in the case of an acquisition of coin from any Currency Office, Treasury, Sub-Treasury or branch of the Imperial Bank of India doing treasury business, shall be determined by the officer in charge of such Currency Office, Treasury, Sub-Treasury or branch whose determination shall be final and shall not be called in question in any legal proceeding."

No. L. 223—*Ml.* 145-39-21, *dated Bangalore, 6th July* 1940.

The following draft amendments which are proposed to be made by Government in the Revised Rules regulating the supply of water in Bangalore City issued with Notification No. L. 2153—Ml. 105-34-9, dated 26th August 1939, in exercise of the powers vested in them under Section 228 of the Mysore City Municipalities Act, 1933, as amended from time to time, are published under Sub-Section (4) of the said section for the information of all persons interested. Any objections or suggestions must be preferred within a fortnight from the date of publication of this Notification in the *Mysore Gazette* after which they will not be taken into consideration by Government.

I. The following will be added as Sub-para to Rule 52:—

"The same rates shall apply to Government Industrial and Commercial concerns also."

II. The following will be added at the end of Rule 45:—

"But in the case of Government residential buildings like Police lines, Nurses' quarters, etc., the free allowance fixed is without restriction to the maximum limit."

III. Rule 83 will be modified as follows:—

"In the case of Government public buildings and institutions in which Government offices are held and which are not run on commercial or business or trade lines, the entire water consumed shall be charged at 8 annas per 1,000 gallons without any free allowance, as the buildings are used solely for public purposes."

IV. Rule 82 will be modified as hereunder:—

"The free allowance of water in the case of hostels or boarding schools, Government or aided or private, whether with paying members or free boarders, shall be at 12½ gallons per head per day. The Department shall get the statistics once in every quarter before the 10th of the month.

By Order,

H. V. NARAYANA RAO,

Secretary to Government,

Law Department.

NOTIFICATION. 133

Order No. P. 371—*Legis.* 4-40-1, *dated Bangalore, the* 17*th July* 1940.

Ordered that the accompanying Act to provide for the imposition and the payment of duty on Gold which received the assent of His Highness the Maharaja, on the 6th day of July 1940, be published as Act No. XIX of 1940, in the *Mysore Gazette* for general information.

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

ACT No. XIX OF 1940.

THE MYSORE DUTY ON GOLD ACT, 1940.

(An Act to provide for the imposition and the payment of duty on gold.)

(Received the assent of His Highness the Maharaja on the 6th day of July 1940).

Whereas it is expedient to impose a duty on gold and to provide for the payment thereof;

It is hereby enacted as follows:—

Short title and extent.

1. (*1*) This Act may be called the Mysore Duty on Gold Act, 1940.

(*2*) It extends to the whole of Mysore.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(*a*) "gold works" means any place where gold is extracted from ore;

(*b*) "owner of a gold works" includes his agents and persons in charge of the gold works; and

(*c*) "prescribed" means prescribed by rules made under this Act.

Imposition and payment of duty on gold.

3. (*1*) There shall be paid by the owner of every gold works on all gold which is produced therein and which is issued out of the premises of such works on and after the 22nd day of March 1940, a duty at the rate mentioned in sub-section (2) and at the prescribed place.

(*2*) The duty on every ounce of gold shall be three-fourths of the amount by which its sale price exceeds one hundred rupees.

Explanation.—For the purposes of this sub-section sale price shall mean the amount realised by sale less prescribed charges, if any.

(*3*) The duty shall be payable in the prescribed manner before the end of the month immediately succeeding that in which the gold is sold.

Recovery of an arrear of duty.

4. (*1*) If any duty remains unpaid at the end of the period specified in sub-section (*3*) of section 3, it shall be deemed to be an arrear and the authority to which such duty is payable may, in lieu thereof, recover any sum not exceeding double the amount of the duty unpaid which such authority may, in its discretion, think it reasonable to require.

(*2*) Any arrear of duty or any sum recoverable in lieu thereof under sub-section (*1*) shall be recoverable as an arrear of land revenue.

Issue of gold from gold works.

5. (*1*) No person shall issue any gold out of the premises of any gold works except in the prescribed manner and until rules in this behalf are made, except in accordance with the general or special orders of the Government.

(*2*) Whoever contravenes any such rule or order shall be punishable with fine which may extend to one thousand rupees or to a sum double the amount of the duty payable on any gold issued in contravention of such rule or order, whichever is greater.

Power to make rules.

6. (*1*) The Government may make rules for carrying out the purposes of this Act.

(*2*) In particular and without prejudice to the generality of the powers conferred by sub-section (*1*), the rules may provide for all or any of the following matters, namely:—

(*a*) imposing on owners of gold works the duty of furnishing returns and keeping records and books, prescribing the form of such returns

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records and books and the particulars to be contained therein and the manner in which the same are to be verified and all such other conditions thereof as may be necessary ;

(*b*) providing for the regulation of the issue of gold out of the premises of gold works;

(*c*) providing for the manner in which, the place at which and the authority to which the duty shall be payable and for the recovery of arrears ; and

(*d*) providing for the inspection of gold works.

(*3*) Such rules may provide that any breach thereof shall be punishable with fine which may extend to five hundred rupees :

Provided that the breach of any rule under clause (*b*) of sub-section (*2*) shall be punishable with the penalty prescribed in sub-section (*2*) of section 5.

7. The Mysore Duty on Gold (Emergency) Act, 1940 (Act No. XVII of 1940), is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Mysore Duty on Gold (Emergency) Act, 1940, shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 29th day of February 1940.

MIRZA M. ISMAIL,
Dewan.

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